IN THE HIGH COURT OF SIKKIM

ORDER SHEET

Civil Second Appeal ..... No. 5 of 2003.

M. Chandran ..... Petitioner / Appellant

Versus

T.N. Academy Board & Another. ..... Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1.	26-11-2003	Mr. M. Chandran appears in person and submits that he has filed a writ petition in the Hon'ble Supreme Court challenging the validity of Central Act 42 of 2002 and rules framed by this Court and prays that this matter be listed one month after. As requested, put up this case after reopening of the Court i.e. on 23-2-2004 for admission. (R.K. Patra) Chief Justice 26-11-2003.	Sd/-
2.	23-2-2004	Shri Chandran appearing in person submits that the review petition filed by him against the order of the Supreme Court is pending before the Hon'ble Supreme Court. As requested by him, put up on 22-3-2004 for admission. (R.K. Patra) Chief Justice 23-2-2004.	

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3.	22.3.2004	Shri Chandran appearing in person submits that he has not yet received any communication with regard to the outcome of the review petition filed by him in the Hon'ble Supreme Court and accordingly prays for adjournment. I am not inclined to accede to his prayer as this matter has already suffered two adjournments. This appeal is directed against the judgment and decree dated 30.9.2003 passed by a single Judge of this Court (Justice R. K. Patra, Chief Justice) in Civil First Appeal No.2 of 1997 which arose out of the decision dated 23.7.1997 rendered by the District Judge (South & West), Sikkim at Gangtok in Civil Suit No.14 of 1997. The prayer of the appellant in this present appeal is to a Division Bench. Section 100-A CPC as amended by Central Act No.22 of 2002 which has come into force with effect from 1.7.2002 reads as follows :- **"100A. No further appeal in certain cases: Nothwithstanding anything contained in any Letters Patent for any High Court or in any instrument having the force of law or in any other law for the time being in force, where any appeal from any original or appellate decree or order is heard and decided by a Single Judge of a High Court no further appeal shall lie from the judgment and decree of such Single Judge."** From the above it is clear that no further appeal shall lie from the judgment and decree of a single Judge of the High Court. This being the legal position, the present appeal is not maintainable and is accordingly dismissed.	

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		It is made clear that in case any order is received from the Hon'ble Supreme Court in his favour, the appellant is at liberty to move this Court with an appropriate application. Appeal dismissed. No costs. *(R. K. Patra)* ***Chief Justice***	